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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of

**MARY, et al**

Examiner: L. Maier

Application No.: **10/849,356**

Art Unit: 1623

Filed: **May 19, 2004**

Title: **Novel Therapeutic Application of  
Enoxaparin**

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**PRELIMINARY AMENDMENT**

This preliminary amendment is being filed in the above-identified continuation application in order to advance the prosecution thereof. Thus, the parent application (09/752,926), which has been under appeal, is being replaced by the present application in order to better deal with the issues raised by the documents relating to that appeal. The parent application has been withdrawn, and the appeal accordingly mooted.

**REMARKS**

The final rejection in the parent application, adhered to in the Examiner's Answer, was to the effect that the presently claimed invention is anticipated by the disclosure of Pratt et al., discussed below.

The present application is directed to the use of enoxaparin in the treatment of cerebral ischemia. This is a complex pathological condition linked to a total or partial loss of vascularization of a brain area. The deprivation of oxygen and the resulting inflammation and biochemical disorders can lead to cellular death and then to cerebral infarction. Cerebral ischemia is the consequence of a local arterial occlusion or embolism.

By contrast, Pratt et al. (Haemostasis, 1998, 28: 78-85) investigated the effect of enoxaparin on edema following a photothrombic injury in the rat. Thus, PRATT and the present invention do